

**COUNTY OF CATTARAUGUS
INDUSTRIAL DEVELOPMENT AGENCY**

BOARD MEETING

March 10, 2009

CCIDA OFFICES

3 East Washington Street

Ellicottville, NY

11:15 a.m.

Roll Call

Members

Present

Thomas Buffamante - Chairman
Joseph Higgins - 1st Vice Chairman
Salvatore Marranca - Second Vice Chairman
Joseph Eade - Secretary
James Stitt - 1st Assistant Secretary/Treasurer
Crystal Abers - Member
Gregory Fitzpatrick - Member

Members

Excused

Staff

Corey R. Wiktor - Executive Director

Guests

Kathy Kellogg - Buffalo News
Rick Miller - Olean Times Herald
David Trathen - Win-Sum Ski Corp.

Chairman, Thomas Buffamante called the meeting to order at 11:19 a.m..

APPROVAL OF MINUTES

A Motion was made by Joseph Eade, with a second by James Stitt to accept the minutes from the February 5, 2009 Board Meeting as prepared. Motion Carried.

APPROVAL OF FINANCIAL REPORTS

A Motion was made by Salvatore Marranca, with a second by James Stitt to accept the operating statement for February 2009. Motion Carried

FINANCIAL REPORT

Mr. Wiktor explained to the Board that RA Mercer has corrected the balance sheet as requested to do by Greg Fitzpatrick.

Mr. Wiktor advised the Board that the CCIDA audit has been completed and will be presented by RA Mercer & Co. to the Audit Committee and the CCIDA Board at the April 21, 2009 meeting.

Mr. Wiktor advised the Board that the auditors from RA Mercer & Co. were in the CCIDA offices the last week of February completing field work. Mr. Wiktor also discussed with the CCIDA Board members that after the audit has been approved we will be reporting to PARIS - (Public Authority Reporting Information System) through the NYS Controllers Office by the June 3, 2009 report date and will be in complete compliance with the PARIS reporting regulations.

Mr. Wiktor next introduced Mr. David Trathen from Win-Sum Ski Corp. to discuss the recent Sale/Leaseback application received from Holiday Valley as part of their annual upgrades and improvement to their facilities.

Mr. David Trathen from Win-Sum Ski Corp. briefly covered the highlights of some of the major projects on the list. One of the top projects is to replace the resort pools which are open to the public. The new pools will be different from what is being replaced, there will be a walk-in swimming area with an adult pool and a diving pool separated by rock landscaping. Another part of the project is that the Hearth Restaurant will be closed down and moved from the main Chalet into the Tamarak Club building and being renamed John Harvards Restaurant. The John Harvards restaurant will be owned by the Win-Sum Ski Corp. and will be the main Restaurant of

Holiday Valley resort which will be open to the public. The Main Lodge is in the process of being redesigned to tie into the Tamarak Club on one side and the Services Building on the other side. The building in the middle being the main chalet will be tied in to improve services and make it a better facility.

The next item discussed was the remodel/refurbish/rebuild in place, the Champagne Mountain Top Warming Hut. Another item covered is the Mitel Phone Switch the current phone switch has run out of upgrades and warranties that are not available. Mr. Trathen advised the Board that the application by Win-Sum Ski Corp. is a little heavier than normal on equipment purchases. Mr. Trathon also explained that the final stages are being completed to relocate Holiday Valley road to tie into the Tamarak Club.

Mr. Joseph Higgins questioned the project list that included several items of maintenance & repairs. Mr. Higgins expressed that the main goal of the IDA is to assist with Capital Improvements. David Trathen explained that the listing of IDA Project items included with the application is strictly an internal document and in future applications the maintenance & repair items would be looked at more closely. Mr. Marranca stated that with a \$3.3 million dollar project the minimal items of maintenance and repair would possibly equal a half of a percent and felt that those items would be irrelevant to the project as a whole. Mr. Marranca and Mr. Eade both congratulated David Trathen of Win-Sum Ski Corp. for their pending project. With the current economic times and various projects being put on hold it is great that Holiday Valley continues to put back into the community and their facility.

Mr. Trathen advised the CCIDA Board that the Tamarak Club is set to open in December 2009 and is currently about 74% sold out.

Mr. Buffamante also stated that for a Company in Cattaraugus County to be spending over \$3 million dollars in this economic climate is terrific and a lot of this work and equipment will be installed and/or operated by local people.

Mr. Buffamante asked Mr. Wiktor about the address for the Holiday Valley Tubing park as it is a separate entity. Mr. Wiktor advised Mr. Buffamante that both addresses are included in the Public Hearing Resolution.

RESOLUTION(s)

Motion was made by Joseph Higgins seconded by Joseph Eade, **RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OF COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY TO HOLD A PUBLIC HEARING REGARDING A PROPOSED PROJECT TO BE UNDERTAKEN FOR THE BENEFIT OF WIN-SUM SKI CORP.** A Roll Call vote was taken with Mr. Higgins, Mr. Marranca, Mr. Eade, Mr. Stitt, Mr. Fitzpatrick, and Ms. Abers voting yes. Mr. Buffamante abstained. Motion Carried.

Motion was made by Joseph Eade seconded by Crystal Abers, **RESOLUTION DETERMINING THAT ACTION TO UNDERTAKE A PROJECT FOR THE BENEFIT OF WIN-SUM SKI CORP. WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.** A Roll Call vote was taken with Mr. Higgins, Mr. Marranca, Mr. Eade, Mr. Stitt, Mr. Fitzpatrick, and Ms. Abers voting yes. Mr. Buffamante abstained. Motion Carried.

EXECUTIVE DIRECTOR'S REPORT

Mr. Wiktor passed out and discussed the Annual Performance Report on NYS's Industrial Development Agencies for fiscal year ending 2007. Mr. Wiktor advised the CCIDA Board that the 2008 report is currently being compiled. This report breaks down every IDA within NYS with the projects being completed and cost to do these type projects along with the cost per job. Mr. Wiktor brought page 16 of this report to the CCIDA Board's attention that the cost per job is actually -\$118. What this means is that the taxes that have been collected have been more than has been abated by the CCIDA. The County of Cattaraugus is the only County within the Western New York Region to have this ranking. Mr. Wiktor also noted that the NYS Comptroller has suspended nine IDA's across the state after this report was issued because of non compliance issues and they have taken away their ability as a public benefit corporation.

Mr Wiktor next discussed the IDA Education Day in Albany on February 24, 2009. Mr. Wiktor presented to several Assemblymen and Senators to go over the importance of IDA's; not the civic facility aspect but the benefit of what IDA's can do in this part of the County and to assist where needed. Next Mr. Wiktor discussed the Hoyt Bill. This bill shows the present law, the proposed law, and a comment section. This Hoyt bill is very destructive to IDA's and all economic type development agencies in the State. This Education day event was poorly attended, with roughly 300 people in the organization and only 20-30 people were in attendance for this event.

Mr. Wiktor advised the CCIDA Board on the federal stimulus program which is generating a lot of activity in New York as the Paterson administration organizes, coordinates, and implements a program to invest NY's portion of the federal stimulus legislation. NY's share is \$24 billion over a two year period. Importantly, the federal stimulus package includes several provision that expand the use and facilitate the purchase of tax-exempt bonds issued by IDA's and IDA-type issuers. These provision expire at the end of 2010, so NY can not take full advantage of them until and unless it extends IDA civic facility authority.

Mr. Wiktor also discussed the meeting planned for March 11, 2009 with the ECIDA to come up with a game plan in extending civic facility. Mr. Wiktor believes that the NYS Budget will be passed in April/May and this Hoyt Bill extending IDA civic facility will be the first bill to be addressed. This legislation by not being passed is holding up \$2.5 billion dollars in projects and development pipeline.

The Hoyt Bill is largely to consolidate IDA's within New York State, this Bill is not against IDA's and Empire Zones however, the Hoyt Bill is mainly to reform IDA's and Empire Zones - (eliminate numerous IDA's within a County - The Hoyt theory is 1 IDA per County). The main concern with the Hoyt Bill is that the prevailing wage is being offered together with the civic facility legislation as one piece of legislation.

Mr. Wiktor stated that the CCIDA Board should review the copy of the Hoyt Legislation provided by our law firm Hodgson/Russ. This piece of legislation is a 360 degree change for IDA's within NYS. This Bill includes everything from the Board make-up, mandate living/prevaling wages, and elimination of numerous IDA's within Counties.

Mr. Wiktor next discussed the upcoming meeting on March 12th with the Steering Committee in reference to economic development in Cattaraugus County. Members of the Steering Committee include JCC, Empire Zone, County, Southern Tier West, BDC, Bona's. This committee was formed to come up with strategies and ideas in regards to Economic Development within Cattaraugus County.

Mr. Wiktor discussed with the CCIDA Board, the Wind Committee that has been formed with three representatives each from the County, Towns and Schools. The first meeting of this group will be held on March 26th to discuss what each of the entities are looking for in regards to a Uniform Tax Exempt Policy - PILOT for wind projects within Cattaraugus County. Mr. Wiktor stated that George Cregg, Jr. from Hodgson/Russ will be on hand for the meeting to answer any legal questions. Mr. Wiktor will be sending out an e-mail advising the date and time of the first meeting to all Board Members and would welcome their participation.

Mr. Wiktor also stated that he will be giving a follow up presentation on IDA Best Practices for Wind Policy in May at the NYSEDC Conference in Cooperstown, New York.

MEMBER ITEMS

A Motion was made by Joseph Eade seconded by Joseph Higgins to go into Executive Session to discuss a matter of personnel.

A Motion was made by James Stitt seconded by Salvatore Marranca to return from Executive Session

ADJOURNMENT

A Motion to adjourn was made by Joseph Higgins seconded by Joseph Eade. Motion Carried.

The next scheduled CCIDA Board Meeting will be April 21st at 11:15 a.m. in the CCIDA Offices.